

1 JONATHAN K. LEVINE (SBN 220289)
2 jkl@pritzkerlevine.com
3 ELIZABETH C. PRITZKER (SBN 146267)
4 ecp@pritzkerlevine.com
5 PRITZKER LEVINE LLP
6 180 Grand Avenue, Suite 1390
Oakland, CA 94612
Telephone: (415) 692-0772
Facsimile: (415) 366-6110

7 DANIEL C. GIRARD (SBN 114826)
8 dcg@girardgibbs.com
9 AMANDA M. STEINER (SBN 190047)
as@girardgibbs.com
10 ELIZABETH A. KRAMER (SBN 293029)
eak@girardgibbs.com
11 GIRARD GIBBS LLP
601 California Street, Suite 1400
12 San Francisco, CA 94104
Telephone: (415) 981-4800
13 Facsimile: (415) 981-4846

14 STEVEN N. WILLIAMS (SBN 175489)
swilliams@cpmlegal.com
15 MATTHEW K. EDLING (SBN 250940)
medling@cpmlegal.com
ALEXANDRA P. SUMMER (SBN 266485)
asummer@cpmlegal.com
COTCHETT, PITRE & McCARTHY, LLP
16 San Francisco Airport Office Center
840 Malcolm Road, Suite 200
Burlingame, CA 94010
Telephone: (650) 697-6000
Facsimile: (650) 697-0577

17 *Plaintiffs' Interim Co-Lead Counsel*

18 [Additional Counsel Appear on Signature Pages]

19 **UNITED STATES DISTRICT COURT**
20
FOR THE DISTRICT OF NORTHERN CALIFORNIA
21
SAN JOSE DIVISION

22 IN RE: LENOVO ADWARE LITIGATION

23 Case No. 5:15-md-02624-RMW

24 This Document Relates to All Cases

25
26
27
28 STIPULATION AND [PROPOSED] ORDER RE
BRIEFING ON LENOVO'S MOTION TO
DISMISS THE CONSOLIDATED AMENDED
COMPLAINT

1 WHEREAS plaintiffs filed their Consolidated Amended Complaint (“Complaint”) on November
2 12, 2015. *See* Dkt. No. 61.

3 WHEREAS defendant Lenovo (United States), Inc. filed its motion to dismiss the Complaint on
4 January 21, 2016. *See* Dkt. No. 98.

5 WHEREAS, as set forth in the Declaration of Daniel J. Stephenson in support of Lenovo’s
6 motion to dismiss, prior to filing the motion, counsel for the parties conferred on an appropriate hearing
7 date that would not cause undue prejudice. *See* Dkt. No. 98-2 at ¶ 3. The parties agreed on a March 11,
8 2016 hearing date, predicated on plaintiffs having four weeks to prepare and file their opposition to the
9 motion and Lenovo having two weeks to prepare and file its reply.

10 WHEREAS Lenovo’s motion to dismiss has been set for hearing on March 11, 2016, but the
11 briefing schedule set by the Court allows plaintiffs only two weeks for their opposition and Lenovo only
12 one week for its reply. *See* Dkt. No. 98.

13 WHEREAS the parties have conferred and agreed that, subject to Court approval, the date by
14 which plaintiff shall file their opposition to the motion to dismiss should be extended from February 4,
15 2016 to February 19, 2016, and the date for Lenovo to file its reply papers should be extended from
16 February 11, 2016 to March 4, 2016.

17 NOW THEREFORE, the parties, by and through their respective counsel of record, hereby
18 stipulate as follows:

19 1. The date by which plaintiffs shall file their opposition to Lenovo’s motion to dismiss
20 should be extended from February 4, 2016 to February 19, 2016;

21 2. The date by which Lenovo shall file its motion to dismiss reply papers shall be extended
22 from February 11, 2016 to March 4, 2016; and

23 3. The hearing shall remain as noticed on March 11, 2016.

24
25 Dated: January 22, 2016

PRITZKER LEVINE LLP

26 /s/ Jonathan K. Levine

27
28 Jonathan K. Levine (SBN 220289)
Elizabeth C. Pritzker (SBN 146267)
180 Grand Avenue, Suite 1390

Oakland, California 94612
Telephone: (415) 692-0772
Facsimile: (415) 366-6110
jk1@pritzkerlevine.com
ecp@pritzkerlevine.com

GIRARD GIBBS LLP

/s/ Daniel C. Girard

Daniel C. Girard (SBN 114826)
Amanda M. Steiner (SBN 190047)
Elizabeth A. Kramer (SBN 293029)
601 California Street, Suite 1400
San Francisco, CA 94104
Telephone: (415) 981-4800
Facsimile: (415) 981-4846
dcg@girardgibbs.com
as@girardgibbs.com
eak@girardgibbs.com

COTCHETT, PITRE & McCARTHY, LLP

/s/ Matthew K. Edling

Steven N. Williams (SBN 175489)
Matthew K. Edling (SBN 250940)
Alexandra P. Summer (SBN 266485)
San Francisco Airport Office Center
840 Malcolm Road, Suite 200
Burlingame, CA 94010
Telephone: (650) 697-6000
Facsimile: (650) 697-0577
sWilliams@cpmlegal.com
medling@cpmlegal.com
asummer@cpmlegal.com

Plaintiffs' Interim Co-lead Counsel

K&L GATES LLP

/s/ *Daniel J. Stephenson*

Daniel J. Stephenson (SBN 270722)
10100 Santa Monica Blvd., 7th Floor
Los Angeles, CA 90067
Telephone: (310) 552-5000

1 Facsimile: (310) 552-5001
2 Dan.stephenson@klgates.com

3 Counsel for Defendant Lenovo

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROPOSED ORDER

Pursuant to Stipulation, it is SO ORDERED.

DATED: _____

HONORABLE RONALD M. WHYTE
UNITED STATES DISTRICT COURT JUDGE

ATTESTATION

I, Jonathan K. Levine, am the ECF user whose ID and password are being used to file this document. In compliance with Local Rule 5-1(i)(3), I hereby attest that all other signatories listed have concurred in this filing.

/s/ Jonathan K. Levine

Jonathan K. Levine